

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ARGELIO TORRES-LOPEZ)
)
)
v.) NO. 1:06-CV-43
) (CR. 1:03-CR-163)
UNITED STATES OF AMERICA) Judge Curtis L. Collier

ORDER OF JUDGMENT

In accordance with the accompanying Memorandum Opinion, this *pro se* motion to vacate, set aside, or correct sentence, filed pursuant to 28 U.S.C. § 2255, is **DISMISSED WITHOUT PREJUDICE** as premature. Should Argelio Torres-Lopez (“Petitioner”) file a notice of appeal, he is **DENIED** a certificate of appealability, *see* Fed. R. App. 22(b), because he has failed to make a substantial showing of the denial of a constitutional right by demonstrating reasonable jurists would debate the correctness of the Court’s procedural ruling in this case. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE